

IN RE: PETITION FOR ZONING VARIANCE
NE/S Glenbrook Drive, 442'
E of Club Lane
(26 Glenbrook Drive)
10th Election District
6th Councilmanic District
Frank E. Williams, et ux
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 88-302-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners here request a variance to permit an accessory structure (garage) to be located in the front yard, and a shed to be located in the side yard, both in lieu of the required rear yard, and additionally, a side yard setback of 38 feet in lieu of the required 50 feet, for an addition to the garage, as more particularly described on Petitioner's Exhibit 1.

The Petitioners, by Frank Williams, appeared and testified. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, it is the opinion of the Zoning Commissioner that the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and therefore, the variances should be granted. There is no evidence in the record that the subject variances would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, in the opinion of the Zoning Commissioner, the requested variances should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 16th day of February, 1988 that an existing accessory structure (garage) to be located in the front yard, and a shed to be located in the side yard, both

in lieu of the required rear yard, be permitted, and additionally, a side yard setback of 38 feet in lieu of the required 50 feet, for an addition to the garage, in accordance with Petitioner's Exhibit 1, be approved, and as such, the Petition for Zoning Variance is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) The Petitioner shall not allow or cause the garage addition to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen facilities.

JRH:bjs

J. Robert Haines
Zoning Commissioner of
Baltimore County

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 400.1 to permit an accessory structure (garage) to be located in the front yard and a shed to be located in the side yard in lieu of the required rear yard and Section 103.3 (1A01.3.B.3) to permit a side yard set back of 38 feet in lieu of the required 50 feet. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

The construction of the desired garage addition as noted on the plat will penetrate the 50' side property setback. It would be a hardship to remove the existing garage.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

City and State

Attorney's Telephone No.:

Address

City and State

Ordered By The Zoning Commissioner of Baltimore County, this 16th day of February, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 19th day of February, 1988, at 11 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

(over)

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

December 1, 1987

Mr. & Mrs. Frank E. Williams
26 Glenbrook Drive
Phoenix, Maryland 21131

Re: Case number: 88-302-A
NE/S Glenbrook Drive, 442' E of Club Lane
(26 Glenbrook Drive)
10th Election District - 6th Councilmanic District.
Petitioners: Frank E. Williams, et ux

Dear Mr. & Mrs. Williams:

Please be advised that \$18.70 is due for advertising and posting of the above-referenced property. All advertising and posting fees must be paid prior to the hearing. Do not remove the sign from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and forward to the Zoning Office, County Office Building, Room 113, Towson, Maryland 21204.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 1/21/88 ACCOUNT: 45948

RECEIVED FROM: J. Robert Haines

FOR: Zoning Commissioner of Baltimore County

AMOUNT: \$18.70

VALIDATION OR SIGNATURE OF CASHIER

DESCRIPTION FOR VARIANCE
26 Glenbrook Drive
10th Election District

Beginning on the northeast side of Glenbrook Drive, 50 feet wide, at a distance of 442 feet east of Club Lane and being known as Lot No. 2 as shown on the plat of "Blentview", which is recorded among the Land Records of Baltimore County in plat book ENK, Jr. No. 36, Folio 20

February 16, 1988

Mr. & Mrs. Frank Williams
26 Glenbrook Drive
Phoenix, Maryland 21131

Re: Petition for Zoning Variance
NE/S Glenbrook Drive, 442' E of Club Lane
10th Election District, 6th Councilmanic District
Case No. 88-302-A

Dear Mr. & Mrs. Thaler:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been granted, subject to the restriction noted in the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office.

Very truly yours,

J. Robert Haines
Zoning Commissioner of Baltimore County

JRH:bjs

Enclosures

cc: People's Counsel

File

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1034
Date of Posting: 1/22/88
Posted for: Variance
Petitioner: Frank E. Williams
Location of property: NE/S Glenbrook Drive, 442' E of Club Lane
26 Glenbrook Drive
Location of Sign: Along Glenbrook Drive, corner 26th Street
Remarks: No way, no property, no Baltimore
Posted by: J. Robert Haines
Date of return: 1/29/88
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. Jan 21, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on Jan. 21, 1988.

THE JEFFERSONIAN,

Susan Linder Obrecht
Publisher

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:
Case number: 88-302-A
NE/S Glenbrook Drive, 442' E of Club Lane (26 Glenbrook Drive)
10th Election District - 6th Councilmanic District
Petitioners: Frank E. Williams, et ux
DATE/TIME: Tuesday, February 9, 1988 at 11:00 a.m.
Variance to permit an accessory structure (garage) to be located in the front yard and a shed to be located in the side yard in lieu of the required rear yard and § 103.3 (1A01.3.B.3) to permit a side yard setback of 38 feet in lieu of the required 50 feet.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
1/19/88 Jan. 21.

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:
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J. ROBERT HAINES
Zoning Commissioner of Baltimore County
1/19/88 Jan. 21.

Office of PATUXENT Publishing Company

10750 Little Patuxent Pkwy.
Columbia, MD 21044

January 25 19 88

THIS IS TO CERTIFY, that the annexed advertisement of

NOTICE OF HEARING 95563

was inserted in the following:
☐ Catonsville Times
☐ Arbutus Times
☐ Reporter Weekly
☐ Booster Weekly
☐ Owings Mills Flier
☐ Towson Flier \$35.52

weekly newspapers published in Baltimore County, Maryland on the 21st day of January, 1988, that is to say, the same was inserted in the issues of

January 21, 1988

PATUXENT PUBLISHING COMPANY
By: J. Robert Haines

IN THE CIRCUIT COURT

FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

Defendant

CERTIFICATE OF PUBLICATION OF

